

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

**BETANET, LLC,**

Plaintiff,

**v.**

(1) **ADOBE SYSTEMS, INC.;**  
(2) **APPLE, INC.;**  
(3) **ARIAL SOFTWARE, LLC;**  
(4) **AUTODESK, INC.;**  
(5) **CARBONITE, INC.;**  
(6) **COREL CORP.;**  
(7) **EASTMAN KODAK CO.;**  
(8) **INTERNATIONAL BUSINESS  
MACHINES CORP.;**  
(9) **INTUIT, INC.;**  
(10) **MICROSOFT CORP.;**  
(11) **MCAFEE, INC.;**  
(12) **ONLINE HOLDINGS, LLC;**  
(13) **ORACLE CORP.;**  
(14) **ROCKWELL AUTOMATION, INC.;**  
(15) **ROSETTA STONE, LTD.;**  
(16) **SAP AMERICA, INC.;**  
(17) **SIEMENS CORP.; and**  
(18) **SONY CREATIVE SOFTWARE, INC.,**

Defendants.

**CIVIL ACTION NO. 2:09-cv-384**

**JURY TRIAL DEMANDED**

**UNOPPOSED MOTION TO DISMISS**

WHEREAS, Plaintiff BetaNet, LLC (“BetaNet”) and Defendant Eastman Kodak Co. (“Kodak”) have resolved BetaNet’s claims for relief against Kodak asserted in this case.

NOW, THEREFORE, BetaNet, through its attorneys of record, requests this Court to dismiss BetaNet’s claims for relief against Kodak with prejudice and dismiss Kodak’s counterclaims for relief against BetaNet with prejudice. Each party will bear its own costs and attorneys’ fees.

Dated: September 2, 2010

By: /s/ Andrew W. Spangler  
Andrew W. Spangler  
Texas State Bar No. 24041960  
**Spangler Law, PC**  
208 N Green St., # 300  
Longview, TX 75601-7312  
Phone: (903) 753-9300  
  
**ATTORNEY FOR PLAINTIFF**  
**BETANET, LLC**

**CERTIFICATE OF SERVICE**

I hereby certify that the counsel of record who are deemed to have consented to electronic service are being served today with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3).

September 2, 2010

/s/ Andrew W. Spangler  
Andrew W. Spangler